



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

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June 26, 2003

Mr. William McCardle
W. A. Murphy, Inc.
4144 N Arden Dr.
El Monte, CA 91731

DIRECTIVE TO CONDUCT A RECORDS INVESTIGATION AND SUBMIT A REPORT CONCERNING PERCHLORATE DISCHARGES IN THE RIALTO, COLTON AND CHINO GROUNDWATER BASINS, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. McCardle:

Perchlorate has been detected in municipal water supply wells in the Rialto, Colton and Chino Groundwater Subbasins in Southern California. These water supply wells are located downgradient of the former bunker used by W. A. Murphy, Inc., Explosives Distributors, in North Rialto. Evidence indicates that W. A. Murphy, Inc., utilized the storage bunker to store explosive materials and propellant, which likely contained perchlorate salts.

As described below, W. A. Murphy is a suspected discharger of perchlorate. This letter sets forth a requirement under California Water Code Section 13267 that W. A. Murphy, Inc., conduct an investigation of its records of historical operations at the Rialto site. As required by that provision, this letter contains an explanation of the need for the investigation, and cites evidence supporting the requirement.

Background

Perchlorate contamination was first detected in groundwater in the Rialto, Colton and Chino Groundwater Subbasins in 1997. At that time, the California Department of Health Services (DHS) Action Level (AL) for perchlorate in drinking water was 18 parts per billion (ppb). Two wells had perchlorate levels exceeding 18 ppb and were shut down. In January 2002, the DHS lowered the AL to 4 ppb. In response to the reduced AL for perchlorate, the local water purveyors in the Rialto, Colton and Chino Groundwater Subbasins restricted or eliminated the use of additional production wells with perchlorate concentrations that exceeded 4 ppb (Enclosure 1). Between 1997 and

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the present, various suspected perchlorate dischargers, including W. A. Murphy, Inc., have been identified.

Requirement for an Investigation

The Regional Board has directed staff to issue individual letters under California Water Code Section 13267 to suspected perchlorate dischargers. The Board also expressed a strong desire that suspected perchlorate dischargers work with the local water purveyors to provide a supply of replacement water during the loss or limited use of their production wells.

The Need for the Investigation

The Santa Ana Regional Water Quality Control Board is charged with the protection of water quality in this Region. We have been working actively with the water purveyors for several years to identify the extent and address the impact of perchlorate contamination on water resources in the Rialto, Colton and Chino Groundwater Subbasins. The water purveyors whose wells have been contaminated with perchlorate now face a state of emergency, and may not be able to provide an adequate water supply to their customers. It is urgent that the sources of the contamination be identified, and the magnitude of the perchlorate plume defined.

Evidence Supporting the Need for the Investigation and Report

W.A. Murphy, Inc. operated in Rialto, California, from approximately the late 1980's to 1993. Historical telephone directories, Hazardous Materials Business Plans, and other evidence indicates that W. A. Murphy, Inc. distributed explosives and propellants and that W. A. Murphy, Inc. used an explosives storage bunker or magazine identified as "B3" located in Rialto, California (Enclosures 2 through 6).

Perchlorate is known to be used as an ingredient in certain explosives and propellants. Other sites involved with explosives and propellants have had documented perchlorate discharges and contamination (e.g., www.geotracker.swrcb.ca.gov/perchlorate). Samples obtained by the County of San Bernardino have revealed that groundwater in the vicinity of the former explosive storage bunkers in Rialto is contaminated with perchlorate.

Based on the evidence, W. A. Murphy, Inc. is suspected of having discharged perchlorate waste that has adversely affected water quality. This evidence supports the requirement for an investigation, as defined in Section 13267(b)(1) of the California Water Code.

Deadlines

By July 31, 2003, a report containing the following information shall be submitted to the Regional Board staff:

1. A detailed description of W.A. Murphy's past and present operations in the Rialto, Colton and Chino Groundwater Subbasins, including but not limited to, whether and



when it used or handled perchlorate or perchlorate-containing materials and the approximate quantities of such materials; the operations, processes and activities involving perchlorate and perchlorate-containing materials, including testing and waste disposal practices; whether materials, off-spec or defective materials, or other wastes were burned or buried; any known or suspected discharges of perchlorate; any accidents, explosions or fires that may have occurred; and any other information that would be helpful in determining whether a discharge of perchlorate occurred from W.A. Murphy's operations.

2. Any documents pertaining to and/or describing W.A. Murphy's operations in the Rialto, Colton and Chino Groundwater Subbasins, including but not limited to maps, plans, diagrams and photographs of the facility and its operations, records pertaining to perchlorate and perchlorate-containing materials, waste disposal records, operating procedures, environmental investigation and remediation reports, and employee lists.

Failure to submit the required Information by the specified deadline will subject you to administrative civil liability in the amount of up to \$1,000 per day pursuant to Section 13268(a) and (b) of the California Water Code.

Finally, please be aware that the Board has directed staff to explore alternative ways of solving the water supply problem in the Rialto, Colton and Chino Groundwater Subbasins. In addition, consistent with the Board's direction, we have issued and will continue to issue similar directives to a number of other suspected dischargers who have operated in the Rialto, Colton and Chino Subbasins. Thus, there may be opportunities to cooperate with other entities to implement joint investigations or to propose solutions that would address the water supply problem. In fact, we believe it would be both scientifically effective and economically efficient for the suspected dischargers subject to these directives to jointly pursue the investigation and to explore water supply replacement options. Further, consistent with the Board's direction, we recommend that the joint efforts of the suspected dischargers consider both the characterization of the contamination and initiation of water supply replacement or treatment strategies. Board staff has experience in managing similar joint investigations and cooperative solutions. If you are interested in discussing such joint efforts, please contact us to arrange a meeting.

Recovery of Regional Board Expenses

California Water Code Section 13365 addresses the billing process for the Regional Board to recover reasonable expenses for overseeing investigation of illegal discharges, contaminated properties, and other unregulated releases that may adversely affect the State's waters. It is the Regional Board's intent to recover such costs for regulatory oversight work conducted in accordance with this order. A description of the Board's procedure for cost recovery for regulatory oversight of investigations and cleanups will be sent to you under separate cover.

If you have any questions about this letter, please contact Kamron Saremi at (909)

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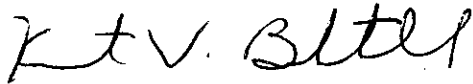


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782-4303, or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,



for Gerard J. Thibeault
Executive Officer

Enclosures:

1. Well Location Map, showing reported perchlorate contamination in municipal water supply wells and the Rialto-Colton and Chino groundwater basins.
2. Excerpts from 1988 Pacific Bell Telephone Directory.
3. Excerpt from W. A. Murphy, Inc. Rialto Business Plan, Magazine B3, February 25, 1991.
4. County of San Bernardino, Department of Environmental Health Services, Hazardous Waste Generator Inspection Reports, January 14, 1991 and September 7, 1994.
5. Diagram of explosive storage bunkers in Rialto, California.
6. Diagram of explosive storage bunkers in Rialto, California.
7. Mailing List.

cc (w/out enclosures):

Regional Board members

Jorge Leon, Office of Chief Counsel, SWRCB

Wayne Praskins, U.S. EPA, Region IX

Inland Empire Perchlorate Task Force members (mailing list attached)



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